

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAMIAN ROBINS,

Plaintiff,

V.

TASHEENA COOKE,

Defendant.

Case No.: 3:24-cv-00155-MMD-CLB

ORDER

(ECF No. 4)

I. DISCUSSION

10 On April 2, 2024, Plaintiff, an inmate in the custody of the Nevada Department of
11 Corrections (“NDOC”), submitted a collection of prison grievance documents. (ECF No.
12 1-1). Plaintiff did not file a complaint. Under Federal Rule of Civil Procedure 3, “[a] civil
13 action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. As such, the
14 Court grants Plaintiff **until June 10, 2024**, to submit a complaint to this Court.

15 On April 10, 2024, Plaintiff filed an incomplete application to proceed *in forma*
16 *pauperis*. (ECF No. 4). Plaintiff's application to proceed *in forma pauperis* is incomplete
17 because the financial certificate is not complete, and Plaintiff did not include an inmate
18 trust fund account statement for the previous six-month period with the application. The
19 Court will grant Plaintiff an extension **until June 10, 2024**, to either pay the full \$405 filing
20 fee or file a new fully complete application to proceed *in forma pauperis*.

21 This Court must collect filing fees from parties initiating civil actions. 28 U.S.C.
22 § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which
23 includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any
24 person who is unable to prepay the fees in a civil case may apply to the court for leave to
25 proceed *in forma pauperis*.” Nev. Loc. R. LSR 1-1. For an inmate to apply for *in forma*
26 *pauperis* status, the inmate must submit **all three** of the following documents to the Court:
27 (1) a completed **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages
28 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3;

1 (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that
2 is properly signed by both the inmate and a prison or jail official; and (3) a copy of the
3 **inmate's prison or jail trust fund account statement for the previous six-month**
4 **period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. LSR 1-2. *In forma pauperis* status
5 does not relieve an inmate of his or her obligation to pay the filing fee, it just means that
6 the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

7 **II. CONCLUSION**

8 It is therefore ordered that Plaintiff has **until June 10, 2024**, to submit a complaint
9 to this Court.

10 It is further ordered that the application to proceed *in forma pauperis* (ECF No. 4)
11 is denied without prejudice.

12 It is further ordered that Plaintiff has **until June 10, 2024**, to either pay the full \$405
13 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three
14 required documents: (1) a completed application with the inmate's two signatures on page
15 3, (2) a completed financial certificate that is signed both by the inmate and the prison or
16 jail official, and (3) a copy of the inmate's trust fund account statement for the previous
17 six-month period.

18 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
19 he fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to
20 refile the case, under a new case number, when Plaintiff can file a complaint and either
21 file a complete application to proceed *in forma pauperis* or pay the required filing fee.

22 The Clerk of the Court is directed to send Plaintiff Damian Robins: (1) the approved
23 form for filing a 42 U.S.C. § 1983 complaint, instructions for the same, and a copy of the
24 grievances that he filed with the Court (ECF No. 1-1); and (2) an application to proceed
25 *in forma pauperis* for an inmate and instructions for the same.

26 DATED THIS 11th day of April 2024.

27 
28 UNITED STATES MAGISTRATE JUDGE